

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
(Richmond Division)**

ANDREW MALON, individually and on behalf)
of all others similarly situated,)

Plaintiff,)

v.)

FRANKLIN FINANCIAL CORPORATION,)
RICHARD T. WHEELER, JR., HUGH T.)
HARRISON II, WARREN A. MACKEY,)
ELIZABETH W. ROBERTSON, GEORGE L.)
SCOTT, RICHARD W. WILTSHIRE, JR.,)
PERCY WOOTTON, FRANKLIN FEDERAL)
SAVINGS BANK, and TOWNEBANK,)

Defendants.)

C.A. No. 3:14-cv-00671

**PLAINTIFF'S MOTION TO
VOLUNTARILY DISMISS THE
ACTION WITHOUT PREJUDICE
PURSUANT TO FED. R. CIV. P.
41(a)(2)**

Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff Andrew Malon, by his undersigned counsel, respectfully moves this Court to enter an order dismissing the above-captioned action, and all of the attendant individual, class and derivative claims asserted therein against Defendants, without prejudice. In support of this Motion, Plaintiff submits a memorandum of law herewith.

Date: December 8, 2014

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CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2014, the foregoing Plaintiff's Motion to Voluntarily Dismiss the Action Without Prejudice Pursuant to Fed. R. Civ. P. 41(a)(2) and accompanying documents were filed with the Clerk of Court using the CM/ECF system, which then sent a notification of such filing (NEF) to all counsel of record.

Date: December 8, 2014

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